

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

ALFRED LEE JAMES,

Defendant.

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CRIMINAL ACTION NO. 4:06CR150

**REPORT AND RECOMMENDATION
OF UNITED STATES MAGISTRATE JUDGE**

Now before the Court is the request for revocation of Defendant's supervised release. After the District Judge referred the matter to this Court for a report and recommendation, the Court conducted a hearing on June 28, 2016, to determine whether Defendant violated his supervised release. Defendant was represented by Denise Benson. The Government was represented by Stevan Buys.

Alfred Lee James was sentenced on July 8, 2008, before The Honorable Michael H. Schneider of the Eastern District of Texas after pleading guilty to the offense of Solicitation to Commit Bank Robbery. Alfred Lee James was subsequently sentenced to 120 months imprisonment followed by a three year term of supervised release, subject to the standard conditions of release, plus special conditions to include financial disclosure, drug aftercare, mental health aftercare, and a \$100 special assessment. On February 18, 2015, Alfred Lee James completed his period of imprisonment and began service of the supervision term. This case was reassigned on June 8, 2016 to the Honorable Judge Amos Mazzant.

On May 4, 2015, the U.S. Probation Officer executed a Petition for Warrant or Summons for Offender Under Supervision [Dkt. 88 Sealed]. The Petition asserted that Defendant violated two (2) conditions of supervision, as follows: (1) Defendant shall report to the probation officer and shall submit a truthful and complete written report within the first five days of each month; and (2) Defendant shall notify the probation officer ten days prior to any change of residence or employment.

The Petition alleges that Defendant committed the following acts: (1) Defendant failed to submit a monthly report the months of February and March 2015; and (2) Defendant failed to notify the U.S. Probation Office, after leaving his residence at The Refuge, 14435 FM 730, Azle, Texas on or about April 9, 2015.

Prior to the Government putting on its case, Defendant entered a plea of true to allegations one (1) and two (2) of the Petition. Having considered the Petition and the plea of true to allegations one (1) and two (2), the Court finds that Defendant did violate his conditions of supervised release. Defendant waived his right to allocate before the District Judge and his right to object to the report and recommendation of this Court.

RECOMMENDATION

Pursuant to the Sentencing Reform Act of 1984, the Court recommends that Defendant's supervised release be revoked and that he be committed to the custody of the Bureau of Prisons to be imprisoned for a term of twelve (12) months and one (1) day, with no term of supervised release to follow.

The Court recommends that Defendant be housed in the Bureau of Prisons, Ft. Worth Medical facility, if appropriate.

SIGNED this 28th day of June, 2016.

A handwritten signature in black ink, appearing to read 'C.A. Nowak', written over a horizontal line.

Christine A. Nowak
UNITED STATES MAGISTRATE JUDGE